

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**RAMON PABON VILLAFANE, *et al.*,**

***Plaintiff,***

**v.**

**SARTORIUS AG, *et al.*,**

***Defendants.***

Civ. No. 21-01128 (MAJ)

**AMENDED OPINION AND ORDER**

Before the Court is a Report and Recommendation (“R & R”) issued by Magistrate Judge Giselle López-Soler, (**ECF No. 62**), recommending that the Court grant Defendants’ Motion for Judgment on the Pleadings (**ECF No. 28**).

The R & R was issued on June 12, 2023, and objections were due by June 26, 2023. (**ECF No. 62**). On June 23, 2023, Plaintiffs filed a Motion for Extension of Time until July 26, 2023, to file any objection as to the R & R. (**ECF No. 63**). On June 26, 2023, the Court denied the Motion for Extension of Time Until July 26, 2023, and instead allowed objections to be filed until July 17, 2023. (**ECF No. 64**). No objections have been filed.

After reviewing the R & R, and all the pleadings on the record, the Court finds the R & R well-reasoned, grounded in fact and law, and free of “plain error.” *See M. v. Falmouth School Department*, 847 F.3d 19, 25 (1st Cir. 2017) (“Absent objection ... a district court has a right to assume that the affected party agrees to the magistrate's recommendation.”) (cleaned up); *Nogueras-Cartagena v. United States*, 172 F.Supp.2d 296, 305 (D.P.R. 2001) (“Court reviews [unopposed] Magistrate's Report and

Recommendation to ascertain whether or not the Magistrate's recommendation was clearly erroneous.”). The Court, therefore, ACCEPTS and ADOPTS the R & R in full.

Accordingly, **IT IS HEREBY ORDERED** that Defendants’ Motion for Judgment on the Pleadings (**ECF No. 28**) is **GRANTED**. Thus, Plaintiffs’ claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 1983, and the First Amendment of the U.S. Constitution are **DISMISSED WITH PREJUDICE**. Plaintiffs’ claims against Sartorius, Inc. and Sartorius Puerto Rico, Inc. are **DISMISSED WITH PREJUDICE**, as well as Plaintiffs’ Age Discrimination in Employment Act (“ADEA”) claims against Defendant Rodolfo Dominicci. Finally, Plaintiffs’ claims under Puerto Rico Law No. 80 of May 30, 1976 as amended, P.R. Laws Ann. tit. 29 §§ 185 *et seq.* are **DISMISSED WITHOUT PREJUDICE**.

The only remaining claims pending before this Court are Plaintiffs’ ADEA claim against Defendant Sartorius Stedim Filters, Inc., and Sartorius AG, as well as Plaintiffs’ claims under Articles 1802 and 1803 of the Puerto Rico Civil Code against all remaining Defendants.

**IT IS SO ORDERED.**

In San Juan, Puerto Rico, this 7<sup>th</sup> day of September 2023.

**s/ María Antongiorgi-Jordán**  
**MARIA ANTONGIORGI-JORDAN**  
**UNITED STATES DISTRICT JUDGE**